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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/805,112

03/19/2004

Kumar Nagarajan

X-1591 US

8498

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7590

05/01/2006

XILINX, INC

ATTN: LEGAL DEPARTMENT

2100 LOGIC DR

SAN JOSE, CA 95124

EXAMINER

MENZ, DOUGLAS M

ART UNIT

PAPER NUMBER

2891

DATE MAILED: 05/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/805,112

Applicant(s)

NAGARAJAN, KUMAR

Examiner

Douglas M. Menz

Art Unit

2891

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) 6-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/19/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of Group I, Species 1A: claims 1-5, in the reply filed on 3/27/06 is acknowledged. The traversal has not been supported with any arguments as to why the restriction was improper. This is not found persuasive.

The requirement is still deemed proper and is therefore made FINAL.

Newly submitted claims 31-40 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Please see Restriction Requirement dated 12/15/05. However, given the dependencies of the newly submitted claims, the Examiner acknowledges that claim 1 is generic to the newly submitted claims. As such, the restriction requirement will be withdrawn should generic claim 1 be deemed allowable.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 31-40 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1,2 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Vikram et al. (US 6770513).

Regarding claim 1, Vikram discloses an integrated circuit having a lid, said integrated circuit comprising:

A substrate having a flat surface and extending a first length (48, Fig. 2);

A lid (50, Fig. 2) having a recess and a foot portion (52, Fig. 2), said lid having a second length shorter than said first length and being positioned on said flat surface of said substrate (Fig. 2 and Col. 1, lines: 35-50); and

A bonding agent positioned on said flat surface adjacent said foot portion of said lid (Fig. 2 and Col. 1, lines: 35-50).

Regarding claim 2, Vikram further discloses a bonding agent below the foot portion of the lid (Fig. 2 and Col. 1, lines: 35-50).

Regarding claim 5, Vikram further discloses wherein the integrated circuit comprises a ball grid array (Fig. 2 and Col. 1, lines: 35-50).

Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu et al. (US 7012326).

Regarding claim 1, Wu discloses an integrated circuit having a lid, said integrated circuit comprising:

A substrate having a flat surface and extending a first length (202, Fig. 5);

A lid (204, Fig. 5) having a recess and a foot portion, said lid having a second length shorter than said first length and being positioned on said flat surface of said substrate (Fig. 5 and Col. 3); and

A bonding agent (408, Fig. 5) positioned on said flat surface adjacent said foot portion of said lid.

Regarding claim 2, Wu further discloses a bonding agent below the foot portion of the lid (408, Fig. 5 and Col. 3).

Regarding claim 3, Wu further discloses wherein the foot further comprises a lip (Fig. 5).

Regarding claim 4, Wu further discloses wherein the bonding agent surrounds the foot portion and extends over the lip (Fig. 5).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas M. Menz whose telephone number is 571-272-1877. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bill Baumeister can be reached on 571-272-1722. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DM

 4/27/06